

BERNARD Q. PHELAN
The Phelan Law Firm
1811 Evans Avenue
Cheyenne, Wyoming 82001
307-634-8085
307-634-2344 (fax)
phelanlaw@Wyoming.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA
No. 3:12-cv-00663-LRH-VPC

MICHAEL A. VONSLOCHTERIN,)
vs.)
Plaintiff,)
vs.)
CECILIE BAIN LEE, WILLIAM SCOTT LEE,)
GILDARDO GARCIA,)
and A.V. CARRIERS, Corp.)
an Illinois Corporation,)
Defendant.)

)

**AFFIDAVIT AND NOTICE OF SERVICE OF PROCESS PURSUANT TO N.R.S
14.070– Gildardo Garcia**

STATE OF WYOMING,
COUNTY OF LARAMIE.

After being duly sworn upon my oath I, Bernard Q. Phelan, depose and say the following:

1. I am one of the attorney's of record for the plaintiff, Michael VonSlochteren, in the above captioned action commenced in Federal District Court for the District of Nevada under docket number 3:12-cv-00663-LRH-VPC.

2. According the accident report of the State of Nevada, No. NHP 1012281875, the defendant Gildardo Garcia resides at 4352 West Palmer, Chicago, Illinois 60639.

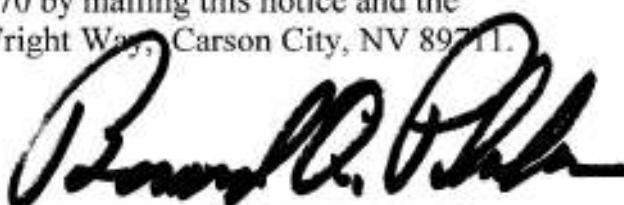
3. On the date of the accident alleged therein the defendant Gildardo Garcia accepted the rights, privilege and benefits of the public Highways of the State of Nevada by operating a motor vehicle one such public highway known as Interstate Highway I-80 near the City of Elko, State of Nevada.

4. By use of said highway the defendant is deemed by *Nevada Revised Statute 14.070* to have appointed the Director to the Department of Motor Vehicles for the State of Nevada to be his true and lawful attorney in fact upon whom may be served all legal process in any action or proceeding Against the operator or the operator's principle master executor administrator or personal representative, growing out of such use or resulting in damage or loss to person or property and the use of such signifies his or her agreement that any process against him or her which is so served has the same legal force and validity as though served upon him or her personally with the State of Nevada.

5. Pursuant to NRS 14.070 on the 9th day of April, 2013, I mailed to the address set forth on the Accident Report above referenced a copy of the Notice of Service and the Summons issued by the District Court of The Federal District Court for the District of Nevada together with a copy of the complaint to Gildardo Garcia by certified mail return receipt requested to his listed address set forth on the Accident Report.

6. In addition I have left a fee of \$5.00 and a copy of the process referenced in the hands of the Director of the Department of Motor Vehicles or in the office of the Director pursuant to the provisions of NRS 1.070 by mailing this notice and the complaint and summons to the Director at 555 Wright Way, Carson City, NV 89711.

Dated this 9th day of April, 2013.



Bernard Q. Phelan

Subscribed and sworn to be for me by Bernard Q. Phelan, this 9th day of
APRIL, 2013.



Notary Public

My Commission Expires:

